

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Relator TOM COLUCCI

Civil Action No. 06-CIV-5033

Relator,

(DC) (HBP)

BRINGING THIS ACTION ON BEHALF  
OF THE UNITED STATES OF AMERICA

– against –

BETH ISRAEL MEDICAL CENTER,  
ERNST & YOUNG, LLC, MORT HYMAN,  
TOM HAYES, and ROBERT NALDI

**NOTICE OF MOTION BY  
CLUEZA COLUCCI TO BE  
SUBSTITUTED AS RELATOR**

Defendants.

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**PLEASE TAKE NOTICE** that, upon the accompanying Declaration of Diane McFadin, Esq., executed on July 15, 2008, and upon the Memorandum in Support of Motion to Substitute Mrs. Clueza Colucci as Relator, Mrs. Cleuza Colucci, the administrator of the late Mr. Colucci's Estate, by and through her attorneys The McFadin Law Group, will move this Court on August 12, 2008 at 10:00 in the forenoon before the Honorable Denny Chin at the United States District Court for the Southern District of New York, United States Courthouse, Courtroom 15-A, 500 Pearl Street, New York, New York, for an order granting her request to be substituted as the party relator, and for such other and further relief as this Court may deem just and proper.

Dated: New York, New York  
July 17, 2008

Respectfully submitted,

**THE McFADIN LAW GROUP**

/s/ Diane Mcfadin

By:

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*Attorney for Beth Israel Medical Center,  
Morton Hyman, Thomas Hayes and Robert Naldi*